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September 15, 2004

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Art Unit 1614

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/648,786; Filed: August 27, 2003 For: **Death Domain Containing Receptor 4** 

Inventors:

Ni et al.

Our Ref:

1488.130000B/EKS/MEK

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Request for Corrected Publication Under 37 C.F.R. § 1.221(b) Due to Material Office Mistake; and
- 2. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account 19-0036.

Respectfully submitted,

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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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EKS/MEK Enclosures

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In re application of:

Confirmation No. 5264

Ni et al.

Application No.: 10/648,786

Art Unit: 1614

Filed: August 27, 2003

Examiner: To Be Assigned

For: Death domain containing receptor 4

Atty Docket No.: 1488.130000B/EKS/MEK

## REQUEST FOR CORRECTED PUBLICATION UNDER 37 C.F.R. § 1.221(b) <u>DUE TO MATERIAL OFFICE MISTAKE</u>

Mail Stop PGPUB

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a corrected publication of the above-listed application pursuant to 37 C.F.R. § 1.221(b) due to a material mistake made by the Office. In particular, the entire Sequence Listing has been omitted from the publication.

The above mistake is apparent from the Office records, as the application as filed contains the Sequence Listing in its entirety. For example, the online USPTO Patent Application Information Retrieval (PAIR) system indicates receipt of the Computer Readable Form (CRF) of the Sequence Listing on August 27, 2003; and the Image File Wrapper contains the complete Sequence Listing as filed on August 27, 2003.

Moreover, the above mistake could be material, as the published claims refer to the Sequence Listing. Thus, this error may affect the scope of the provisional rights accorded Applicants under 35 U.S.C. § 154(d) based on the instant publication. Additionally, the omission of the Sequence Listing from the published application could undermine the strength of the publication as a prior art reference.

Appl. No.: 10/648,786 Atty Dkt No. 1488.130000B/EKS/MEK

Accordingly, Applicants respectfully request that a corrected publication of the above-listed application be made pursuant to 37 C.F.R. § 1.221(b).

This request is being made within two (2) months of the publication of this application; therefore, no fee is believed to be due. The Commissioner is hereby authorized to charge any deficiency to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Fric K. Steffe

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